

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

MASAHIKO KUBOTA

Filed: July 9, 2003

Examiner: Not Yet Assigned

Group Art Unit: Not Yet Assigned

August 6, 2003

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## INFORMATION DISCLOSURE STATEMENT

Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56 and in accordance with the practice under 37 C.F.R. §§ 1.97 and 1.98, the Examiner's attention is directed to the documents listed on the enclosed Form PTO-1449. Pursuant to the notice (copy enclosed) from the U.S. Patent and Trademark Office waiving the requirement under 37 C.F.R. 1.98(a)(2)(I) for submitting copies of cited U.S. Patents, copies of the listed U.S. Patent documents are not enclosed. However, copies of the cited foreign documents are enclosed.

For the concise explanation of relevance for the non-English documents, the Examiner is referred to the English Abstracts for each of them.

It is respectfully requested that the above information be considered by the Examiner and that a copy of the enclosed Form PTO-1449 be returned indicating that such information has been considered.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address given below.

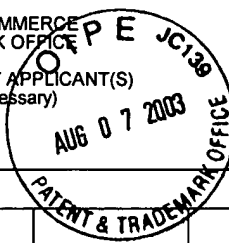
Respectfully submitted,

  
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Attorney for Applicants

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FORM PTO 1449 (modified)  U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE  LIST OF REFERENCES CITED BY APPLICANT(S) (Use several sheets if necessary)				ATTY DOCKET NO. <b>03500.017372.</b>		APPLICATION NO. <b>10/615,143</b>	
				APPLICANT <b>MASAHIKO KUBOTA ET AL.</b>			
				FILING DATE <b>July 9, 2003</b>		GROUP <b>Not Yet Assigned</b>	
U.S. PATENT DOCUMENTS							
*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		4,882,595	11/21/89	Trueba et al.	346	140R	
		6,158,843	12/12/00	Murthy et al.	347	47	
		6,334,670 B1	01/01/02	Yoshihira et al.	347	65	
		6,491,834 B1	12/10/02	Kubota et al.	216	27	
		6,491,381 B2	12/10/02	Mochizuki et al.	347	65	
		6,488,364 B1	12/03/02	Nakajima et al.	347	61	
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES/NO/ OR ABSTRACT
	JP	54-161935 A ✓		JAPAN			Abstract
	JP	61-185455 A ✓		JAPAN			Abstract
	JP	61-249768 A ✓		JAPAN			Abstract
	JP	4-10941 ✓		JAPAN			Abstract
	JP	4-10940 ✓		JAPAN			Abstract
OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)							
EXAMINER				DATE CONSIDERED			

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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### Information Disclosure Statements May Be Filed Without Copies of U.S. Patents and Published Applications in Patent Applications filed after June 30, 2003

**Office of Patent Legal Administration << Pre-OG Notices << Information Disclosure  
Statements May Be Filed Without Copies of U.S. Patents and Published Applications in Patent  
Applications filed after June 30, 2003**

#### Background

The U.S. Patent and Trademark Office (USPTO or Office) regulations concerning Information Disclosure Statements (IDSs) currently require that copies of the cited references be submitted with the IDS listing. See 37 CFR 1.98 (a)(2). In a prior notice in the Official Gazette this requirement was partially waived with respect to U.S. patents and U.S. patent application publications when an applicant submitted an IDS using the Office's electronic filing system (as an electronic IDS, eIDS). See *Legal Framework for the Use of the Electronic Filing System*, 1263 Off. Gaz. Pat. Off. 60, 10/8/2002, Part V.

All U.S. applications [1] filed after June 30, 2003 are stored in electronic form in the Office's Image File Wrapper (IFW) system. [2] IDSs submitted for these electronic applications are processed by Office staff to create an electronic link which permits cited U.S. patents and U.S. patent application publications to be conveniently viewed by examiners through the Office's patent search system. This feature enables the Office to avoid scanning these documents into IFW, obviating the need for their submission.

#### Waiver

The Office hereby waives the requirement under 37 CFR 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003 and for all international applications that have entered the national stage under 35 USC § 371 after June 30, 2003. See 37 CFR 1.491(b). For all patent applications filed on or before June 30, 2003, copies of cited U.S. patents and patent application publications are still required unless an eIDS is filed.

Applicants are still required to submit copies of foreign patent documents and non-patent literature in accordance with 37 CFR 1.98(a)(2).

#### FOR FURTHER INFORMATION CONTACT:

Questions concerning this waiver may be submitted to Jay Lucas by e-mail at **Jay.Lucas@uspto.gov** or by telephone at (703) 308-6868. Comments may also be submitted by mail addressed to: Commissioner for Patents, Box Comments - Patents, Post Office Box 1450, Alexandria, VA 22313-1450, or by facsimile to (703) 305-2919, marked to the attention of Jay Lucas.

Date: 07/11/2003

Signed: /s/  
STEPHEN G. KUNIN  
Deputy Commissioner  
for Patent Examination Policy

[1] Except in special situations, such as in applications under secrecy order or containing national security markings.

[2] See *Notification of United States Patent and Trademark Office Patent Application Records being Stored and Processed in*